

REC 20⁰⁰
AND
R.M.F. 5 100

FILED NO. 2306
BOOK 135 PAGE 787
96 FEB 28 AM 10:36
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

COMPUTER ✓
RECORDED ✓
COMPARED ✓



Form 635-054
10/93
e6157

Treva T. Petersen, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010, 515-239-1269

EASEMENT FOR PUBLIC HIGHWAY

For the consideration of One Thousand Forty-five and no/100—(\$1,045.00)—Dollars and other valuable consideration in hand paid by Iowa Department of Transportation, MARILYN J. WINEBRENNER (ALSO KNOWN AS MARILYN WINEBRENNER), a single person, and ELMA FOGLER (ALSO KNOWN AS ELMA E. FOGLER AND AS ELMA R. FOGLER), a single person, both of Madison County, State of Iowa, do hereby grant to the STATE OF IOWA a permanent easement for road purposes and for use as a Public Highway in, to, on, over and across real estate in Madison County, Iowa:

THE EASEMENT GRANTED FOR HIGHWAY PURPOSES IS TO LAND DESCRIBED AS FOLLOWS:

A parcel of land located in the SE¼SE¼ of Sec. 29, T76N, R26W of the 5th P.M., Madison County, Iowa, as shown on Acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof, and more particularly described as follows:

Commencing at the E¼ Corner of said Sec. 29; thence S1°36'06"E, 1570.70 ft. along the east line of the SE¼ of said Sec. 29, to a point on the centerline of Primary Road No. IA 92; thence westerly 272.34 ft. along said centerline along a 5729.58 foot radius curve, concave southerly and having a chord bearing S83°25'35"W, 272.32 ft. to the Point of Beginning; thence westerly 249.51 ft. along said centerline, along a 5729.58 ft. radius curve, concave southerly and having a chord bearing S80°49'01"W, 249.49 ft.; thence S79°34'10"W, 654.46 ft. along said centerline; thence S1°36'25"E, 70.84 ft.; thence N79°34'10"E, 665.33 ft.; thence N85°57'32"E, 153.26 ft.; thence N81°32'32"E, 84.05 ft.; thence N1°36'06"W, 85.53 ft. to a point on the centerline of Primary Road No. IA 92, the Point of Beginning, excepting therefrom present easements of record; containing 0.88 acre, exclusive of said exceptions.

This easement is given in fulfillment of a certain contract dated December 18, 1995, and recorded in the Madison County Recorder's Office on December 27, 1995, in Book 135, Page 468.

The additional amount of \$955.00, as agreed to by contract, is paid as severance damages to the remaining property.

This easement and transfer is exempt from transfer tax. Iowa Code Sec. 428A.1.

This easement is being acquired for public purposes and a Declaration of Value is not required. Iowa Code Sec. 428A.1.

Grantors do hereby covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors covenant to warrant and defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the easement.

*For Deedmaker see
see misc file 44.74
4.22-97*

Madison County Project No. FN-92-4(15)-21-61
Marilyn J. Winebrenner (Parcel 57)

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated 2/16/96, 1996. (SIGN IN INK)

Marilyn J. Winebrenner
Marilyn J. Winebrenner

Elma Fogler

(NOTARY PLEASE COMPLETE LEFT AND RIGHT SIDES)

STATE OF Iowa, }
COUNTY OF Polk, } ss:

On this 16th day of Feb., A.D. 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared Marilyn Winebrenner

to me personally known, OR proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

(NOTARY SEAL)

Lora D. White (Sign in Ink)
Lora D. White (Print/Type Name)
Notary Public in and for State of Iowa



CAPACITY CLAIMED BY SIGNER

INDIVIDUAL
 CORPORATE _____
OFFICER(S) _____
TITLE(S) _____

(CORP SEAL)

AFFIXED
 NO SEAL PROCURED
 PARTNER(S) LIMITED
 GENERAL
 ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated February 16, 1996. (SIGN IN INK)

Marilyn J. Winebrenner

Elma Fogler
Elma Fogler

(NOTARY PLEASE COMPLETE LEFT AND RIGHT SIDES)

STATE OF IOWA, }
COUNTY OF MADISON, } ss:

On this 16TH day of FEBRUARY, A.D. 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared Elma Fogler

to me personally known, OR proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

(NOTARY SEAL) John E. Casper (Sign in Ink)
John E. Casper (Print/Type Name)
Notary Public in and for State of IOWA

CAPACITY CLAIMED BY SIGNER

INDIVIDUAL
 CORPORATE _____
OFFICER(S) _____
TITLE(S) _____

(CORP SEAL)
 AFFIXED
 NO SEAL PROCURED
 PARTNER(S) LIMITED
 GENERAL

ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 OTHER: _____

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

IOWA DEPARTMENT OF TRANSPORTATION



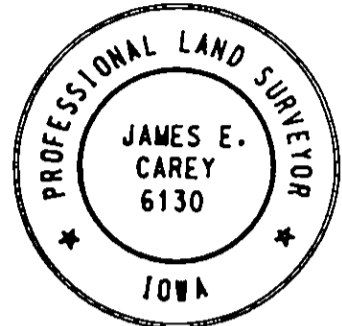
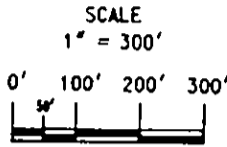
ACQUISITION PLAT
EXHIBIT 'A'

COUNTY MADISON STATE CONTROL NO. 61-0600
 PROJECT NO. FN-92-4(15)--21-61 PARCEL NO. 57
 SECTION 29 TOWNSHIP 76 N RANGE 28 W
 ROW-FEE _____ AC. EASE 0.88 AC. EXCESS - FEE _____ AC
 ACQUIRED FROM Marilyn J. Winebrenner

I hereby certify that this land surveying document was prepared by me or under my direct personal supervision and that I am a duly Registered Land Surveyor under the laws of the State of Iowa.

Signature: James E. Carey
 Date July 21, 1992 Reg. No. 6130

My registration expires December 31, 1992



NW CORNER
NE1/4 SE1/4
SEC. 29-76-26W
(Set Iron Pin)
Is N1°36'25"W 1634.71'
from Sta. 425+42.15

E1/4 CORNER
SEC. 29-76-26W
(Found "X" in Stone)
Is N1°36'06"W 1570.70'
from P.O.C. Sta. 438+67.24

